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9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN FRANCISCO DIVISION

12
13 UNITED STATES OF AMERICA,) CASE NO. CR 20-00054 CRB
14 Plaintiff,)
15 v.)
16 SANTOS EUGENIO AVILA-MONTES,)
17 Defendant.)
18

19 On February 6, 2020, defendant Santos Eugenio Avila-Montes was charged by indictment with
20 distribution of methamphetamine and cocaine base and possession with intent to distribute heroin,
21 methamphetamine, and cocaine base, all in violation of 18 U.S.C. § 841(a)(1) and (b)(1)(C).

22 This matter came before the Court on February 21, 2020 for a detention hearing. The defendant
23 was present and represented by Assistant Federal Public Defender Geoffrey Hansen. Special Assistant
24 United States Attorney Christopher Vieira appeared for the government. The government moved for
25 detention, and the defendant opposed. At the hearing, counsel submitted proffers and arguments
26 regarding detention.

27 Upon consideration of the facts, proffers and arguments presented, and for the reasons stated on
28 the record, the Court finds by a preponderance of the evidence that no condition or combination of

1 conditions will reasonably assure the appearance of the person as required. Accordingly, the defendant
2 must be detained pending trial in this matter.

3 The present order supplements the Court's findings and order at the detention hearing and serves
4 as written findings of fact and a statement of reasons as required by Title 18, United States Code,
5 Section 3142(i)(1). As noted on the record, the Court makes the following findings as the bases for its
6 conclusion: first, the defendant is a Honduran citizen with significant ties to Honduras; second, the
7 defendant was previously deported from the United States; and third, the defendant did not have any
8 sureties. These findings are made without prejudice to the defendant's right to seek review of
9 defendant's detention, or file a motion for reconsideration if circumstances warrant it.

10 Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

11 1. The defendant be, and hereby is, committed to the custody of the Attorney General for
12 confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving
13 sentences or being held in custody pending appeal;

14 2. The defendant be afforded reasonable opportunity for private consultation with counsel;
15 and

16 3. On order of a court of the United States or on request of an attorney for the government,
17 the person in charge of the corrections facility in which the defendant is confined shall deliver the
18 defendant to an authorized United States Marshal for the purpose of any appearance in connection with a
19 court proceeding.

20 IT IS SO ORDERED.

21
22 DATED: February 25, 2020



23 HONORABLE JOSEPH C. SPERO
24 Chief United States Magistrate Judge